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No. 04-~~252~~

Supreme Court, U.S.
SEP 27 2004
OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

VERNON MILLS,
Petitioner
v.
LAW OFFICE OF MELBOURNE MILLS,JR., DAVID STUART, AND MICHEAL P. CASEY
Respondents

On Petition For a Writ of Certiorari
To the Court of Appeals of Kentucky

PETITIONER'S REPLY TO RESPONDENT'S BRIEF IN OPPOSITION TO PETITIONER'S PETITION FOR WRIT OF CERTIORARI

VERNON MILLS, PRO SE
P.O. BOX 472
HEIDRICK, KY 40949
(606) 546-9041

Come the petitoner, Vernon Mills, and without any legal training, and tenders the following in opposition to the Argument in the Respondent's, Breif in Opposition to Petition for Writ of Certiorari.

ARGUMENT

The Respondent's argueguing at page (1) the exact legal argument asserting federal jurisdiction over this claim is unclear,

to the best of Respondent's observation, says, the claim is that the dismissal of Petitioner's action under Rule 12.02 of the Kentucky Rules of Civil Procedure a violation of his 14th Amendment Rights to due process,

Petitioner aruges that Rule 12.02(10) as was placed in the pleadings as it is written, clearly says a complaint should not be dismissed for failure to state a claim unless it appears to a certainty that the claimant is entitled to no relief under any state of facts which could be proved in support of the claim,

The evidence of records clearly establishes the Petitioner was entitled to the $13,829.22, that was paid with his owne money, the evidence of records pursuant to CR 54.04, and Langhehs v. Parmelee, Ky, 427 S.W.2d 223 (1968). that the Respondent's failed to Motion for, see Order and Opinion, at (a) of the Petitioner's, Motion for a Writ of Certiorari, Says the Court being suffciently advised, it is hereby Order that the Plaintiff's Motion for Costs in the amount of $13,829.22, is DENIED, as there is no basis in law for the requestd award.

The Petitioner argues the Federal Jurisdiction, over this claim is as stated in his Motion for a Writ of Certiorari,

Undoubtedly the Circuit Court and the Appeals Court, has failed to follow the Federal Civil Rules, Rule 12, Pro Se Litigants, says Courts are particularly cautious while inspecting pleadings prepared by plaintiffs who lack counsel and are proceeding pro se. Often inartful, and rarely composed to the standards expected of practicing attorneys, pro se pleadings are

viewed with considerable liberality and are held to less stringent standards then those expected of pleadings drafted by lawyers. unrespresented plainteffs are not relieved of their obligation to allege sufficient facts to support a cognizable legal claim.

Respondent's says, However, for the first time, Petitioner now alleges that the decision violates his due process under the 14th Amendment.Constitutional right to due process undre the 14th Amendment.

Petitioner argues the evidence of record establishes that the first time the due process of law and liberty as gauaranteed by the fourteenth Amended to the Constitution of the United States, on face of the complaint Vernon Mills vs. Law Office Melbourne Mills, JR, ET AL. Civil action No. 01-CI-1052,

At page #8 and 9, WHEREFORE PLAINTIFF PRAYS THE COURT TO:

At #2 Enter a declaratory judgment that the practices and actions complained herein are unlawful and in violation of the

Fourth, Fifth and Fourteeth Amendment of constitution of the United States.

CONCLUSION

This case presents serious due process issues concerning statues invoked in thousands of cases annually in Kentucky, in pro se litigants action, petitioner respectfully requests this Court grant Certiorari to review the issues,

And award damages against the Respondents, as ask for in the Petitioner's, complaint, as the evidence is clear that the petitioner can not get a fair trial, with attorney's like the Respondents, Nor as a pro se litigant,

Respondents failure to follow the Kentucky Supreme Court Rules, 3.130(1.1). and failure to use promptness and diligence in preparing the petitioner case were he suffered permanent injury, while stopped at a red light, and hit in the rear, the Respondents argure Although the trial court awared the Petitioner damages, On the evidence the Respondents allowed

the jury to hear was just a fraction of it and the damages was only $20,000.00 and after the Respondents, got thier part it only left this Petitioner, about $12,000.00, and have for almost ten years have payed almost that munch for the injuries, and for the rest of my life I got to pay for the injuries, not counting the $13,829.22. and you can see were the Respondents Brief, says at page #1, Petitioner's claim of a violation of due process in merely a continuance of an end-run around a decision rendered by the trial court that is unfavorable to him, the evidence from the Doctor's stated all of the damage I recived,.

For the aforementioned reasons, Petitioner respectfully request that the Petition for Writ of Certiorari be granted.

Respectfully submitted,

Vernon Mills

Vernon Mills Pro Se
P.O. Box 472
Heidrick, Ky 40949
(606) 546-9041
September 24th,2004